



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7**

11201 Renner Boulevard  
Lenexa, Kansas 66219

25 FEB 2015

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7013 3020 0001 1645 3279

Mr. Lawrence C. Rosen  
Environmental Operations, Inc.  
1530 South Second Street, Suite 200  
St. Louis, Missouri 63104-4500

RE: Delays in the Schedule for Completion of Interim Corrective Measures at the Solutia - J.F.  
Queeny Site, St. Louis, Missouri  
EPA ID No. MOD 004 954 111

Dear Mr. Rosen:

This letter provides formal notification of the U.S. Environmental Protection Agency's concerns regarding the significant delay in the completion of the Interim Corrective Measures required under the Administrative Order on Consent (Docket No. RCRA-07-2009-0015) entered into in 2009. The implementation of interim measures is currently three years behind schedule, with no substantive work having been completed since September 2014.

Of particular concern is the recent delay in performing groundwater sampling that was scheduled for last September and the removal of remaining PCB-contaminated soil. Your monthly progress report for December 2014 is dated January 29, 2015, and indicates that the September groundwater sampling would be performed in January. During our recent telephone conversation on February 18, 2015, you stated that this sampling has not been performed and that funding to perform this work may be obtained in 30 days.

Your recent disclosure that SWH Investments, Inc. is seeking refinancing does not relieve EOI, Inc. or SWH Investments, Inc. of their obligations under the AOC to complete site work in accordance with the schedule. Therefore, potential stipulated penalties are, and will continue to accrue since September 1, 2014, for failure to perform interim measures in accordance with Paragraph 62 of the AOC. In addition, recent progress reports failed to provide a rationale for why planned work was not completed as required by Paragraph 49 of the AOC.

In conclusion, it is apparent that an update on project financing should be provided in each monthly progress report henceforth. In addition, a revised schedule for the completion of the Interim measures and submittal of the draft Interim Measures Completion Report should be provided in all future monthly progress reports until said activities are performed.

RCRA



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If you have any questions concerning this matter, please call me at (913) 551-7755.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce A. Morrison". The signature is fluid and cursive, with the first name "Bruce" being the most prominent.

Bruce A. Morrison  
Project Manager  
Waste Remediation and Permitting Branch  
Air and Waste Management Division

cc: Ms. Christine Kump-Mitchell, MDNR  
Mr. Rich Nussbaum, MDNR  
Ms. Stacy Hastie, SWH Investments  
Mr. Eric Page, EOI